COMMONWEALTH OF KENTUCKY NATURAL RESOURCES & ENVIRONMENTAL PROTECTION CABINET DEPARTMENT FOR ENVIRONMENTAL PROTECTION DIVISION OF WATER

NOV 0 6 2009

APPLICATION FOR PERMIT TO CONSTRUCT ACROSS OR ALONG A STREAM AND / OR WATER QUALITY CERTIFICATION

Chapter 151 of the Kentucky Revised Statutes requires approval from the Division of Water prior to any construction or other activity in or along a stream that could in any way obstruct flood flows or adversely impact water quality. If the project involves work in a stream, such as bank stabilization, dredging or relocation, you will also need to obtain a 401 Water Quality Certification (WQC) from the Division of Water. This completed form will be forwarded to the Water Quality Branch for WQC processing. The project may not start until all necessary approvals are received from the KDOW. For questions concerning the WQC process, contact the WQC section at 502/564-3410.

If the project will disturb more than 1 acre of soil, you will also need to complete the attached Notice of Intent for Storm Water Discharges, and return both forms to the Floodplain management Section of the KDOW. This general permit will require you to create an implement an erosion control plan for the project.

TELEPHONE #: (859) 232-4411	EMAIL: <u>davisw@lexmark.com</u>
Give name of person	r(s) submitting application, if other than owner.
ADDRESS:	
TELEPHONE #:	EMAIL:
NGINEER: Eric Dawalt, P.E.	P.E. NUMBER: 22350
Contact Division of Water if waiver ca FELEPHONE #: _(859) 806-1089	n be granted. EMAIL: edawalt@insightbb.com
DESCRIPTION OF CONSTRUCTION:	THE TAXABLE MAIL MADE COME
Shady Brook Park Streem Park Dansin	Describe the type and purpose of construction and describe stream impact See attached plan.
	NEAREST COMMUNITY: <u>Lexington</u>
SGS QUAD NAME Lexington East	LATITUDE/LONGITUDE: <u>N38°04'32"/ W 84°29'12"</u>
TREAM NAME: Cane Run	WATERSHED SIZE (in acres): 2900
	1300
IRECTIONS TO SITE: See Attached Plan	n, Figure 1.
	•

10.	IS ANY PORTION OF THE REQUESTED PROJECT NOW COMPLETE? Yes \(\sqrt{No} \) If yes, identify the completed portion on the drawings you submit and indicate the date activity was completed. DATE:
11.	ESTIMATED BEGIN CONSTRUCTION DATE: Nov 23, 2009
12.	ESTIMATED END CONSTRUCTION DATE:Dec. 23, 2009
13. 14.	HAS A PERMIT BEEN RECEIVED FROM THE US ARMY, CORPS of ENGINEERS? Yes √ No If yes, attach a copy of that permit. THE APPLICANT MUST ADDRESS PUBLIC NOTICE:
. 1	(a) PUBLIC NOTICE HAS BEEN GIVEN FOR THIS PROPOSAL BY THE FOLLOWING MEANS:
*	Public notice in newspaper having greatest circulation in area (provide newspaper clipping or affidavit) Adjacent property owner(s) affidavits (Contact Division of Water for requirements.)
	(b) I REQUEST WAIVER OF PUBLIC NOTICE BECAUSE:
	Contact Division of Water for requirements.
15.	I HAVE CONTACTED THE FOLLOWING CITY OR COUNTY OFFICIALS CONCERNING THIS PROJECT:
	Greg Lubeck, P.E., LFUCG Engineering, (859) 258-3410 Give name and title of person(s) contacted and provide copy of any approval city or county may have issued.
16.	LIST OF ATTACHMENTS:
	List plans, profiles, or other drawings and data submitted. Attach a copy of a 7.5 minute USGS topographic map clearly showing the project location.
	1. Copy of USGS map.
	2. Shady Brook Park Stream Bank Repair Plan
18.	ON WHICH THIS PROJECT WILL BE LOCATED OR ON WHICH RELATED CONSTRUCTION WILL OCCUR (for dams, this includes the area that would be impounded during the design flood). REMARKS: The project will increase the flow conveyance area by laying back the banks and excavating a bankfull bench. It will also and improve water quality and stream habitat by reducing erosion and establishing native vegetation along the banks. Project will disturb less than one acre of soil.
	I hereby request approval for construction across or along a stream as described in this application and any accompanying documents. To the best of my knowledge, all the information provided is true and correct. SIGNATURE: Owner or Agent sign here. (If signed by Agent, a Power of Attorney should be attached.)
	SIGNATURE OF LOCAL FLOODPLAIN COORDINATOR:
	Permit application will be returned to applicant if not properly endorsed by the local floodplain coordinator.
	DATE:
	SUBMIT APPLICATION AND ATTACHMENTS TO:
DC	Floodplain Management Section Lurren + under review Division of Water
۴,	レートレン 14 Reilly Road Frankfort, KY 40601
, 1. 1.	Floodplain Management Section Division of Water 14 Reilly Road Frankfort, KY 40601 Will Send in once it Revised 01-04
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Proposed Repair Solution:

The proposed solution calls for laying back the steep banks on the outside bends to a stable slope of 2:1 (Horizontal: Vertical) or flatter as can be seen in Figure 2. Limestone rock (12"-18" diameter) will be installed along the toe of the bank to prevent toe erosion. A woven coconut coir fiber erosion control blanket will be installed on the banks to protect the soil until vegetation can be established. The blanket will biodegrade over the next five years as vegetation is established.

The point bar areas will be excavated down to create a bankfull bench. This will increase flow capacity and reduce shear stress on the outside bends.

Proposed Revegetation Plan:

In order to stabilize the newly repaired banks, native vegetation will be established on the outside bends of the stream. Live stakes of willow and dogwood will be installed above the rock toe so their root systems will grow together and help prevent erosion of the bank (See Figure 2). Native wildflowers and grasses will be planted beneath the erosion control blanket, in a No-Mow Area, to prevent erosion (See Table 1). The point bar benches will be seeded with low growing grasses, sedge and rush.

Table 1. List of Species.

	Common Name	Scientific Name
Live Stakes:	Black Willow	Salix nigra
	Silky Dogwood	Cornus amomun
Native Grasses and Wildflowers:	Riverbank Wild Rye	Elymus riparius
	Fox Sedge	Carex vulpinoidea
		Panicum
	Deer Tongue	clandestinum
	Lance-leaf Coreopsis	Coreopsis lanceolata
	Purple Coneflower	Echinacea purpurea
	Blue Vervain	Verbena hastata
		Chamaecrista
	Partridge Pea	fasciculata
	Black Eyed Susan	Rudbeckia hirta
	Common Rush	Juncus effusus

Impacts to Flood Conveyance:

This project will not reduce the flood conveyance of the stream because neither the channel nor floodplain is being filled. The banks will be laid back to a stable slope and a bankfull bench will be excavated. A small amount of rock toe protection (less than three square feet of cross sectional area) will be installed. Conversely, conveyance area will be increased by over 20 square feet of cross sectional area by laying back the banks and excavating a bankfull bench. Excavated material from the channel and floodplain will be hauled off-site and deposited in an area out of the floodplain. As such, there will be a net gain of channel capacity and flood conveyance.

FRIDAY, NOVEMBER 6, 2009

LEXINGTON HERALD-LEADER | KENTUCKY.COM

Public Notice
Notice is hereby
given that Lexmark, 740 New
Circle Road, Lexington, KY 40550,
has filed an application with the
Natural Resources
and Environmental Protection
Cabinet to repair
and restore the
stream banks on
1300 linear feet of
Cane Run. The
property is located in Shady
Brook Park
horth-east of the
intersection of
New Circle Road
and Newtown
Pike. Any comments or objections concerning
this application
shall be directed
to: Kentucky Divident
Sion of Water,
Water Resources
Branch, 14 Reilly
Road, Frankfort
Office Park
Frankfort, Kentucky 40601,
Phone: (502)
554-3410.

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